

COUNCIL PROCEEDINGS  
CITY OF CROSSLAKE MINNESOTA  
PUBLIC HEARING  
MAY 4, 1993  
9:00 A.M. AT CITY HALL

The Council for the City of Crosslake Minnesota met in the Council Chambers of City Hall on Tuesday, May 4, 1993. The following Councilmembers were present: Mayor Kurt E. Anderson, Lyle M. Arends, Charles O. Miller, Dean L. Swanson, and John R. Webster. Also present were Paul Sandelin and Sue Thurlow representing the City Attorney's office, Ron Morrium representing the Department of Natural Resources, Brian Bittner and approximately 38 residents. KCCO and KCCW television also had a reporter present.

Mayor Anderson called this Public Hearing to order at 9:00 a.m. and explained that the purpose of this hearing was because of an appeal from the Department of Natural Resources on a Conditional Use Permit for a 14 unit condominium complex approved by the Planning and Zoning Commission to be issued to Brian Bittner at the property described as Part of Oultlot A, Cross Lake Shore and Daggett Brook. Mayor Anderson read a letter from Orval Nelson of C & C Boatworks and Senator Don Samuelson whom were both in favor of the proposal. Mayor Anderson also read the letter from the Department of Natural Resources opposing the project as proposed.

The City Council Members spoke unanimously in favor of the project with some of the reasons being that there is so much "gray" in the Shoreland Management Rules and so many different ways to interpret the rules. It was also the consensus of the Council that they would rather have a 14 unit condo at that location than a 30 unit motel, which DNR would have approved. Mr. Miller said if the units were to be rented by the day, week or month it should be considered as commercial and that according to the plans there will be a rental office, laundry and pool which should classify it as commercial.

Orval Nelson, Tony Eckstein and Tom Ottoson, residents and property owners, spoke in favor of the condos.

Ron Morrium, Area Hydrologist from DNR reiterated some of the concerns he had addressed in his letter and stated that they do not feel that approval of the project by the City would be in keeping with the spirit and intent of the state shoreland standards. Mr. Morrium stated that they feel the units would be sold mainly to individuals and the City will have more residents in a Commercial zone. Mr. Morrium stated that if residential standards were used, only 6 to 8 units would be allowed.

Charles Schwartz, resident, stated that his concern was increased boat traffic in the channel.

Mr. Sandelin stated that the City is right to focus on the use of the property and not the fact of private ownership and that it would be DNRs burden to prove that the Planning Commission's decision was legally insufficient.

MOTION NO. 5-1PH-01-93 WAS MADE BY C. MILLER AND SECONDED BY D. SWANSON TO APPROVE THE DECISION OF THE PLANNING AND ZONING COMMISSION TO GRANT A CONDITIONAL USE PERMIT TO BRIAN BITTNER. MOTION PASSED UNANIMOUSLY.

Mayor Anderson informed everyone present that the joint meeting with the Planning and Zoning Commission would not be held because he had an appointment to keep in the Cities.

MOTION NO. 5-1PH-02-93 WAS MADE BY L. ARENDS AND SECONDED BY C. MILLER TO ADJOURN THIS PUBLIC HEARING AT 9:28 A.M. MOTION PASSED UNANIMOUSLY.

Recorded and transcribed by:  
Arlene A. Buchite, City Clerk/Treasurer

*Arlene A Buchite*